

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

MISSOURI PRIMATE FOUNDATION,	)	
et al.,	)	
	)	
Plaintiff(s)/Counterclaim Defendant(s),	)	
	)	
v.	)	No. 4:16CV02163 CDP
	)	
PEOPLE FOR THE ETHICAL	)	
TREATMENT OF ANIMALS, INC., et al.,	)	
	)	
Defendant(s)/Counterclaim Plaintiff(s).	)	

**CLERK’S ENTRY OF DEFAULT**

This matter is before the Clerk of Court on Counterclaim Plaintiffs’ Motion for Entry of Clerk's Default against corporate Counterclaim Defendant Missouri Primate Foundation [ECF No. 59] pursuant to Fed.R.Civ.P. 55(a).

On March 12, 2018, the Court entered and Order [ECF No. 52] staying proceedings up to May 1, 2018, to permit corporate Counterclaim Defendant additional time to obtain new counsel. Counterclaim Plaintiffs filed the Motion for Entry of Default on May 8, 2018, stating failure to defend and failure to comply with an Order of the Court. Corporate counsel is unrepresented and the “law does not allow a corporation to proceed pro se.” *Ackra Direct Mktg. Corp. v. Fingerhut Corp.*, 86 F.3d 852, 857 (8th Cir. 1996); *United States v. Van Stelton*, 988 F.2d 70, 70 (8th Cir.1993) (per curiam); *Kep-Co. v. Park Nat. Bank, N.A.*, No. 4:06CV747 CDP, 2008 WL 926524, at \*2 (E.D. Mo. Apr. 3, 2008). A corporation that fails to be represented by counsel is in default.

Accordingly,

**IT IS HEREBY ORDERED** that on direction of the Court [ECF No. 60], the Stay is lifted and Counterclaim Plaintiffs' Motion for Entry of Clerk's Default against corporate Counterclaim Defendant Missouri Primate Foundation [ECF No. 59] is GRANTED. Default of said party is hereby entered.

Dated this 15<sup>th</sup> day of May, 2018.

/s/ Lori Miller Young  
Lori Miller Young  
Chief Deputy Clerk